

### **Remarks**

Claims 1-24 are pending in this application. The examiner has rejected claims 1-3, 6-9, 12-15, 18-21, and 24 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,923,652 to Daase et al. The examiner has rejected claims 4, 10, 16, and 22 under 35 U.S.C. § 103(a) as being obvious over Daase in view of U.S. Patent No. 6,052,738 to Muller et al.

#### **A. Independent Claims 1, 7, 13, and 19**

Each of the independent claims has been rejected as being anticipated by Daase. This response will explain the standard for anticipation rejections under Section 102; the differences between Daase and the present invention; and the specific elements of the independent claims of the present application that are not disclosed in Daase

##### **1. The Anticipation Standard**

A claim is not anticipated unless each element of the claim is found in a single prior art reference. Manual of Patent Examining Procedure 2131. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Id.*, quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (1987). With respect to the independent claims of the present invention (claims 1, 7, 13, and 19), each and every element of these claims is not present in Daase.

##### **2. Daase and the Present Invention**

Daase is not directed to the same technology as the invention of the present application. Daase concerns a separate *control system* for a switch. In complete contrast, the present invention is directed to the *switch itself*. The control system for a switch and the switch itself are two different items. Claims directed to a switch and the interaction of the components of the switch are not anticipated by the disclosure of a control system for a switch.

The present invention is directed to a switch that includes a number of routing components. The routing components are shown, for example, at elements 18 in Figure 2a, Figure 2b, and Figure 2c; and at elements 34 in Figure 4a and Figure 4b. The routing components are the elements that provide the interconnection points within the switch that define the switching fabric of the switch. With reference to Figure 2a, for example, routing components 18a-18d serve as interconnection devices for the interconnection of nodes 22a-22p.

As described in the independent claims, the switch of the present application is able to receive a module. The module includes a number of routing components. The addition to the switch of the routing components of the module is shown in Figure 2b and Figure 4b. The routing components in Figure 2b are shown at 24, and the routing components of Figure 4b are shown at 40. The addition of the routing components of the module to the switch improves the interconnectivity of the switch.

In complete contrast to the present invention, Daase is directed to a control facility for a switch. Daase does not disclose any detail concerning the internal architecture or modularity of the switch. Rather, Daase is directed to the operation of a controller for a switch. Daase is directed to a technique for adding additional control module to a controller for a switch: “It is the object of the invention to improve the tying of additional function modules into a control facility of a switching system.” (Col. 1, lines 49-51).

The switch of Daase, element (SW) in Figure 1, is controlled by control facility CONTR to provide switched connections between connections PORT1 to PORTN. Importantly, none of the routed communications between any combination of PORT1 and PORTN are routed through any interconnection element of control facility CONTR. Instead, control facility CONTR simply manages the operation of the switch of Daase. The control facility of Daase does

not in any manner anticipate the routing components set out in the claims of the present invention. The control facility of Daase does not include any routing components.

### **3. Claims 1 and 7**

The elements of the invention of independent claims 1 and 7 are not shown in Daase. Claim 1 is directed to a switching system and includes the limitation of a “switch operable to receive a module, wherein the module comprises one or more module routing components operable to communicatively couple the devices when the module is received by the switch.” Independent claim 7 is directed to a network switch and includes the limitation of a network switch having “a module interface operable to receive a module, wherein the module comprises one or more module routing components operable to communicatively couple the devices when the module is received by the network switch.”

Daase does not disclose a switch that is operable to receive a module. There is no mention in Daase of the architecture of the switch of Daase, and there is likewise no mention in Daase of a switch architecture in which a switch is operable to receive a module. Moreover, the control facility of Daase does not include any routing components. There is simply no suggestion in Daase that any of the communications between any of the ports coupled to the switch of Daase are routed through any of the components in the control facility of Daase. Although the word “module” is used when describing some of the elements of Daase, it is plain that Daase does not disclose a switch that is operable to receive a module, and Daase likewise does not disclose a module that includes a routing component. Because the elements of claims 1 and 7 are not disclosed by Daase, applicants respectfully submit that the rejection of claims 1 and 7 should be withdrawn and that these claims should be passed to issuance.

#### **4. Claim 13**

Independent claim 13 is directed to a module operable to be received by a network switch. The module includes “one or more routing components operable to communicatively couple the devices when the module is received by the network switch.” Daase does not disclose a module that can be received by a switch and that includes one or more routing components. There is no indication that the control facility of Daase can be received by the switch of Daase. In addition, the control facility of Daase does not include any routing components; none of the communications between any of the ports of Daase are routed through the control facility of Daase. Because each element of claim 13 is not disclosed in Daase, applicants submit that the rejection of claim 13 should be withdrawn, and this claim should be passed to issuance.

#### **5. Claim 19**

Independent claim 19 is directed to a method for upgrading the bandwidth of a network. The method of claim 19 includes a step of providing a network switch that includes “a module interface operable to receive a module.” The method of claim 19 also includes the step of providing “a module comprising one or more module routing components operable to communicatively couple the devices when the module is received by the network switch.” Daase does not disclose a switch that includes an interface for receiving a module. Daase also does not disclose a module that includes one or more module routing components. The switch of Daase does not include an interface for receiving a module, and the control facility of Daase does not include one or more routing components. None of the communications between the ports of Daase are routed through the components of the control facility of Daase. Because all of the elements of independent claim 19 are not disclosed in Daase, applicants respectfully submit that the rejection of claim 19 should be withdrawn and this claim should be passed to issuance.

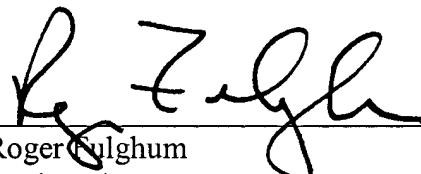
**B. Dependent claims 2-6, 8-12, 14-18, and 19-24**

Dependent claims 2-6, 8-12, 14-18, and 19-24 will not be discussed individually herein, as each of these claims depends, either directly or indirectly, from an otherwise allowable base claim.

**Conclusion**

The applicants respectfully submit that the pending claims 1-24 are allowable. The applicants respectfully request that the rejection of the pending claims be withdrawn and that these claims be passed to issuance.

Respectfully submitted,

  
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Roger Gulghum  
Registration No. 39,678

Baker Botts L.L.P.  
910 Louisiana  
One Shell Plaza  
Houston, Texas 77002-4995  
(713) 229-1707

Baker Botts Docket Number: 016295.0618

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